

United States Senate

WASHINGTON, D.C. 20510

March 29, 1988

Melvin Heckt
3550 Multifoods Tower
Minneapolis, Minnesota 55402

Dear Melvin:

Thanks for contacting me about the care of the severely handicapped. I appreciate the time you have taken to share your thoughts on this important issue.

I have always supported the belief that the government should help those who cannot help themselves. As a society, we must find the best way to integrate handicapped people into the community and help them to achieve their highest potential. It is important, therefore, that we carefully consider the direction our health care facilities will take in the future.

For many years, most severely disabled people received care in large public institutions. While most (public and private) institutions are fine, there are some that provide care that is below federal standards and could be called negligent.

In recent years, the focus in care for handicapped individuals has turned toward the development of group homes and small community facilities. Many people feel that these facilities provide a better environment in which handicapped people can live in more home-like settings.

As you may know, during the 98th Congress, Senator John Chafee (R-Rhode Island) originally introduced the proposed "Community and Family Living Amendments Act." This legislation would have transferred federal funding (over a 10-year period) from large institutions (those with more than 15 beds) to community and family living arrangements for the handicapped. The purpose of the bill was to encourage the placement of handicapped persons in a community or family living situation. Because the bill was not considered by the full Senate prior to the adjournment of the 98th Congress, the matter was considered "dead."

I opposed this legislation because, if enacted, the bill would have shut down almost all large facilities for the handicapped — the good and the bad. This could have actually downgraded the quality of care. An estimated 12,500 group homes would have been needed to house those who would have been moved out of large institutions under this legislation. The ability of the federal government to supply the number of inspectors and support staff needed for these homes is questionable, since it

can't guarantee the quality of care existing in today's public institutions.

I believe a more moderate solution may be possible. Certainly those institutions that don't live up to federal standards should not receive federal funding. If the funds denied to substandard institutions were used to develop more community and family living arrangements, this option would have been more feasible for those who wished to transfer to community care. This approach also would have left open the option of institutional care for those who prefer this alternative.

I have discussed this issue with Senator Chafee. He is a neighbor of mine and sometimes rides to work with me. My impression from our conversation is that he introduced the bill in the 98th Congress as a catalyst -- to stir up the pot, so to speak.

As you may know, Senator Chafee reintroduced a modified version of his bill in the 99th Congress, and again in the 100th Congress. In doing so, he took into account the concerns expressed by many parents, caregivers and others that residents might be inappropriately forced to leave their current care situations and that all large institutions might lose federal support for caring for severely disabled individuals.

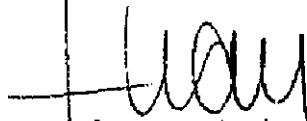
The "Medicaid Home and Community Quality Services Act" (S. 1673) would allow states to provide a wide range of services and support for those with disabilities in a variety of residential settings including staying with their families, staying in their own homes, or other community-based settings. As you may know, this bill would freeze funding to large institutions (over 15 beds) at the current levels. This is to encourage community placement for disabled individuals if that is best for the patient.

I am more inclined to support this bill. It is important that those with disabilities are allowed to live in the community with the security and support they need along with an opportunity to grow and develop as individuals. You can be assured that I'll continue to closely examine this bill and will be sure to pass

your comments along to my colleagues on the Senate Finance Committee {of which I'm not a member), which has jurisdiction over the Medicare and Medicaid programs.

Once again, thanks for getting in touch.

Sincerely,



Rudy Boschwitz
United States Senator